



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

---

FOR THE JUNIORS.

---

THE DIFFERENT SORTS OF LEGACIES.—There are three kinds, viz: *general*, *specific*, and *demonstrative*.

(1) A *general* legacy (called also *pecuniary*) is a gift of a certain sum of money to be paid out of the assets of the testator's estate *generally*, no fund being designated as the means of payment. For example, "I give and bequeath to A the sum of \$1,000." Unless such legacies are *charged* on real estate, expressly or impliedly, they are payable out of the personalty only—*Crouch v. Davis*, 23 Gratt. 62, 94; but if that is exhausted in the payment of the debts, then such legacies, by the doctrine of *marshalling*, are payable out of land devised to pay debts, and land descended to the heirs. Bisph. Eq., secs. 346–9. The advantage of a general legacy is that it is not liable to be lost by *ademption* (*i. e.*, to be sold by the testator, or lost or destroyed in his lifetime), as a specific legacy is; its disadvantage is that it is taken to pay the debts before the other legacies are touched.

(2) A *specific* legacy is a bequest of a particular thing, as a horse, a piece of plate, money in a certain purse, etc. Its advantage is that it is not liable for debts until *general pecuniary* legacies are exhausted; its disadvantage is that it is liable to *ademption*.

(3) A *demonstrative* legacy is a legacy of *quantity*, with a particular fund pointed out for its satisfaction; as, "I bequeath to A \$1,000 to be paid out of the proceeds of my stock in the Bank of R." A demonstrative legacy so far resembles a *general* one as not to be liable to *ademption*; *i. e.*, if the fund for payment fails, the legacy is not lost, but the legatee will be permitted to receive the amount out of the general assets. On the other hand, it so far resembles a specific legacy that it is not liable to abate with the general legacies, on deficiency of assets. So it has the double advantage of escaping both *ademption* and *abatement*. See *Morris v. Garland*, 78 Va. 215; *Brown v. Brown*, 79 Va. 648; *Stokes v. Mitchell*, 80 Va. 149; *Effinger v. Hall*, 81 Va. 94; *Hood v. Haden*, 82 Va. 588; *Lee v. Smith*, 84 Va. 289.

---

Service of process upon a foreign corporation by serving the papers upon an officer who is himself plaintiff in the action or attorney in fact for the plaintiff is held invalid in *George v. American Ginning Co.* (S. C.), 32 L. R. A. 764.

---

The recovery in a single action, of damages both present and prospective for failure to make a sufficient passageway for water through a railroad embankment, is held proper in *Ridley v. Seaboard & R. R. Co.* (N. C.), 32 L. R. A. 708, provided either party to the action demands that permanent damages be assessed.